

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charis Jones	Team: Squad #4	CCRB Case #: 201904305	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/16/2019 3:22 PM	Location of Incident: 84th Precinct stationhouse	Precinct: 84	18 Mo. SOL 11/16/2020	EO SOL 7/3/2021	
Date/Time CV Reported Fri, 05/17/2019 1:50 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/17/2019 1:50 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Raffie Chintamani	23743	934636	084 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Darlene Guillen	03475	966091	084 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Raffie Chintamani	Force: Police Officer Raffie Chintamani used physical force against § 87(2)(b) [REDACTED]	

### Case Summary

On May 17, 2019, § 87(2)(b) contacted the CCRB by phone and filed this complaint. On May 25, 2019, § 87(2)(b) requested to have his case closed, pending litigation. On October 17, 2019, § 87(2)(b) requested his case be reopened.

On May 16, 2019, at approximately 3:22 p.m., § 87(2)(b) was arrested at the United States Post Office located at 271 Cadman Plaza West in Brooklyn. § 87(2)(b) was transported to the 84<sup>th</sup> Precinct stationhouse. While at the stationhouse, PO Raffie Chintamani, of the 84<sup>th</sup> Precinct, used force against § 87(2)(b) (**Allegation A: Force, § 87(2)(g)**).

§ 87(2)(b) was charged with § 87(2)(b), § 87(2)(a) 160.50

(Board Review 01).

The investigation was provided with eight body-worn camera (BWC) recordings and several video recordings from the post office. PO Chintamani's BWC captured the allegations above (Board Review 02).

### Findings and Recommendations

#### **Allegation (A) Force: Police Officer Raffie Chintamani used physical force against § 87(2)(b)**

§ 87(2)(b) (Board Review 03) stated that he was arrested at the Post Office and was transported to the 84<sup>th</sup> Precinct stationhouse. PO Chintamani and PO Darlene Guillen brought him to the holding cell area and asked § 87(2)(b) to remove his shoelaces before being placed in the holding cell. PO Chintamani removed the handcuffs from § 87(2)(b). § 87(2)(b) refused to remove his shoelaces and said that he was not going to get into the holding cell until someone explained to him what he was arrested for. PO Chintamani asked § 87(2)(b) to comply. § 87(2)(b) refused to move. PO Chintamani then placed his right or left hand on § 87(2)(b) bicep, grabbed § 87(2)(b) left hand with his other hand, and squeezed § 87(2)(b) left thumb in the process, causing pain. PO Chintamani then pushed § 87(2)(b) into the holding cell. § 87(2)(b) did not seek medical attention but his left thumb hurts to date.

PO Chintamani's BWC recording (Board Review 02) captures this interaction. At 20:48, PO Chintamani and PO Guillen bring § 87(2)(b) to the holding cell area. PO Chintamani informs § 87(2)(b) that he is going to remove his handcuffs and that § 87(2)(b) must remove his belt, shoelaces, and everything with a string. PO Chintamani removes the handcuffs from § 87(2)(b). At 21:33, § 87(2)(b) walks into the holding cell without taking off his shoelaces or belt. § 87(2)(b) sits on a bench. PO Chintamani follows § 87(2)(b) and orders him to exit the holding cell and remove his shoelaces. § 87(2)(b) refuses to exit the holding cell, asks what he is being charged with, and requests to speak to a supervisor. At 22:12, PO Chintamani informs § 87(2)(b) that if he does not follow his instructions, he will have to handcuff him. § 87(2)(b) replies that he does not care. PO Guillen intervenes and asks § 87(2)(b) to get up. § 87(2)(b) complies. At 22:24, it appears PO Chintamani takes § 87(2)(b) by his left bicep with his right hand and holds § 87(2)(b) left wrist with his left hand. PO Chintamani tells § 87(2)(b) to bring his arms back. § 87(2)(b) asks PO Chintamani to stop and tells him that he will cooperate. At 22:35, PO Chintamani and PO Guillen escort § 87(2)(b) out of the holding cell. At 22:42, § 87(2)(b) tells PO Chintamani that he is placing his hands behind his back and complains that PO Chintamani twisted his hand. At 22:52, PO Chintamani says that he did not twist anything. He then asks § 87(2)(b) to bring his hands behind his back. § 87(2)(b)

complies and PO Chintamani then handcuffs him. The video does not capture § 87(2)(b) hands. At 23:49, PO Chintamani asks § 87(2)(b) if he will comply and remove his shoelaces and belt when he removes the handcuffs again. § 87(2)(b) shakes his head no. Between 24:41 and 28:12, PO Chintamani removes the handcuffs from § 87(2)(b) and § 87(2)(b) removes his shoelaces and belt, and then walks into the holding cell voluntarily. He is not handcuffed.

On May 22, 2019, the request for the Threat, Resistance, and Injury Report (Board Review 04) returned negative results.

NYPD Patrol Guide Procedure 221-01 states that force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise to protect life, or when it is reasonable to place a person in custody or to prevent escape from custody. In all circumstances, any application or use of force must be reasonable under the circumstances (Board Review 06).

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- § 87(2)(b)
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- PO Raffie Chintamani has been a member-of-service for 15 years and has been named a subject in two CCRB complaints and two allegations, none of which were substantiated.

#### **Mediation, Civil and Criminal Histories**

- This complaint was not suitable for mediation.
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming injury to his left hand and seeking \$30,000.00 as redress (Board Review 08). There is no 50H hearing scheduled.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

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Squad No.: 4

Investigator: Charis Jones  
Signature

Inv. Charis Jones  
Print Title & Name

05/20/2020  
Date

Squad Leader: Raquel Velasquez  
Signature

IM Raquel Velasquez  
Print Title & Name

05/20/2020  
Date

Reviewer:  
Signature

Print Title & Name

Date